

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**MELVIN BUCKLEY,**

**Defendant.**

**8:08CR107**

## ORDER

This matter is before the court on the motion for an extension of time and for a continuance of trial by defendant Melvin Buckley (Buckley) (Filing No. 11). Buckley seeks until June 10, 2008, in which to file pretrial motions. Buckley's counsel represents that Buckley will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Buckley's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Defendant Buckley's motion for an extension of time (Filing No. 11) is granted. Buckley is given until **on or before June 10, 2008**, in which to file pretrial motions. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 1, 2008 and June 10, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. Trial of this matter scheduled for June 2, 2008, is continued *sine die* and will be rescheduled following the disposition of any pretrial motions.

DATED this 1st day of May, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge